

### **REMARKS**

Reconsideration of the rejections set forth in the office action is respectfully requested. This Amendment is being filed in connection with a Request for Continued Examination. By this Amendment, claims 4-6, 8, 10, and 12 have been canceled and claims 1, 7, 11, and 17 have been amended. Currently, claims 1-3, 7, 9, 11, and 13-17 are pending in this application.

#### **Advisory Action**

Applicants argued, in the previous response dated September 17, 2008, that Saunders fails to teach or suggest scheduling reservations that occur in the future. Rather, Saunders allows a second service to interrupt another service that is being provided to the wireless device. Thus, in Saunders, any conflict that occurs in real time is resolved in real time by allowing a new service to preempt a service that is currently being provided. Applicants argued that Saunders, therefore, does not teach or suggest making reservations or scheduling services to occur at a later time. The full content of the previous arguments is incorporated herein by reference.

In an Advisory Action dated October 14, 2008, the Examiner indicated that the claims were being interpreted such that the term “reservation” was not being interpreted as requiring the reservations to occur “at a future time”. Applicants have amended claim 1 to incorporate this notion to make it explicit that reservations are for the future delivery of medical images, and that the scheduling of these medical images is based on a policy based priority system. Applicants respectfully submit that it would not have been obvious to schedule the delivery of medical images in this manner based on the several references cited to date. Accordingly, applicants respectfully submit that claim 1, as amended, is patentable over the art of record. Allowance of this claim is thus respectfully requested.

Applicants have also amended claim 17 to recite that transmission of medical images are scheduled to occur at future points in time. Although the amendments to claim 17 are not as extensive as the amendments to claim 1, this amendment is still believed to patentably distinguish claim 17 from the cited art. Additionally, applicants have amended claim 17 to address how the data management service controls the data source. In view of these amendments, applicants respectfully submit that claim 17 is patentable over the cited art and request an action to that effect.

Conclusion

In view of foregoing remarks, applicants respectfully submit that the Examiner failed to show that the combination of references renders the claims, as drafted, unpatentable under 35 USC 103. Accordingly, applicants respectfully submit that the claims of this application are patentable over the art of record and an action to this effect is respectfully requested.

Applicants would welcome an opportunity to discuss this application with the Examiner if the Examiner feels that a telephone interview would further prosecution of this application. Similarly, if the Examiner has any questions or concerns regarding these remarks the Examiner is requested to telephone the undersigned at the telephone number listed below.

Extension of Time

Applicants request a third month extension of time to respond to the outstanding Office Action. Payment of the third month extension of time fee is being submitted herewith. If any additional fees are due in connection with this filing, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref: NN-16421).

Respectfully Submitted

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